

Minutes

November 20, 2008

N. C. Board of Agriculture

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Maurice K. Berry, Jr.

Elbert R. Pitt, Jr.

Jean Boseman

Larry Sampson

William E. Holliday

Douglas I. Torn

C. Osmond Kearney, Jr.

Jeffery B. Turner

Kirk Mathis

Hyman Young, Jr.

Steve Troxler, Chairman

## Table of Contents

Call to Order

Approval of Minutes – September 5, 2008

Referendum Request – Cotton Growers Association

Approval of Appointment to Boll Weevil Eradication Foundation Board

Standards – Re-adopt Rule Change on Motor Fuel Dispenser Half-Pricing

Standards – Update Rules on Weighing and Measuring Devices and LP Gas Safety Standards

Plant Industry – Amend Noxious Weeds Rules

Report on State Budget – Outlook for 2009

Other Business

(1) Status of Euthanasia Rules

(2) Status of Research Stations Strategic Plan

# N. C. Board of Agriculture

## Minutes

September 5, 2008

The November 20, 2008 Board of Agriculture meeting was held beginning at 2:00 pm in the Hall of Fame Room, Agriculture Building, 2 West Edenton Street, in Raleigh, North Carolina. Commissioner of Agriculture Steve Troxler called the meeting to order and read the ethics reminder to start the meeting. The following Board members were in attendance: Maurice Berry, Jean Boseman, Billy Holliday, Larry Sampson, Doug Torn, and Hyman Young.

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Upon MOTION by Mr. Torn seconded by Mr. Young, the minutes of the September 5, 2008 meeting were approved. The motion carried by a unanimous vote.

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The next item on the agenda was a referendum request by the Cotton Growers Association. Billy Carter, Executive Director of the Cotton Growers Association, addressed the Board about the request. He explained that the Association has to hold a referendum every three years. The terms are the same as before.

MOTION was made by Mr. Holiday that the Board accept the referendum request. The motion was seconded by Mr. Berry and carried by a unanimous vote.

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Commissioner Troxler called on Gene Cross, Director of the Plant Industry Division, to discuss the new appointment to the Boll Weevil Eradication Foundation Board, the third item on the agenda.

Gene Cross introduced David Grant as the Commissioner's appointment to the Board to replace Marshall Grant who has stepped down from his role on the Board.

MOTION was made by Mr. Berry and seconded by Mr. Torn to approve the appointment of David Grant to the Boll Weevil Eradication Foundation Board. The motion carried by a unanimous vote.

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Before moving on with the agenda, Commissioner Troxler recognized Marshall Grant for his work on the Boll Weevil program. Commissioner Troxler gave some background on Mr. Grant and his work and presented him with the Order of the Long Leaf Pine. Mr. Grant then addressed the group.

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The next order of business was to re-adopt the rule change on Motor Fuel Dispenser Half-Pricing. Stephen Benjamin, Director of Standards, was called upon to discuss the rule. The Board was already familiar with the rule since it was originally adopted in the September 5, 2008 meeting. Because they adopted the rule before the end of the comment period, it had to be withdrawn and re-adopted.

Mr. Torn made the MOTION to re-adopt the rule change on Motor Fuel Dispenser Half-Pricing. The motion was seconded by Mr. Young and carried by a unanimous decision.

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Mr. Benjamin then discussed with the Board changes and updates to rules on Weighing and Measuring Devices and LP Gas Safety Standards. The changes to these rules are primarily editorial and give the Department the authority to regulate LP Gas.

MOTION was made by Mr. Berry and seconded by Mr. Holliday to adopt the updated rules. The motion carried by a unanimous vote.

General discussion followed about ethanol.

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Gene Cross was called upon again, to discuss the next rule changes up for adoption by the Board. The proposed changes add two new weeds and their counties to the Class B list of noxious weeds found in 02 NCAC 48.1702 and .1703. Mr. Cross explained that these weeds are a serious threat to the state overall from an agronomic and environmental standpoint.

Upon MOTION made by Mr. Torn and seconded by Mr. Sampson, the Board agreed to the amendments of 02 NCAC 48 .1702 and .1703. The Motion carried by a unanimous vote.

Opening the floor up for questions for Mr. Cross, Mr. Torn asked if the Plant Industry division was aware of fire ants on state-owned property in Raleigh and if anything was going to be done to contain them. Mr. Cross responded that they are aware and are holding the fire ants back, although treatments are hit and miss.

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The next agenda item was an update and report on the state budget and the outlook for 2009 from David Smith, Deputy Commissioner. Mr. Smith reported to the Board that the number of new people moving into the state is driving the unemployment numbers up. In addition, the state grew economically at 2.8% (two point eight percent) through October and has been slow to arrive at the "budget crisis". Mr. Smith explained that the Department has budgeted conservatively for this year and that the Governor has directed agencies to control spending by 5% (five percent). As for the Department, Commissioner has asked division to reduce their



budgets by 10% (ten percent).

Commissioner then added that the Department would try adding new fees and raising existing fees among other things so that the Department will not have to cut any jobs. He also mentioned all the building projects on hold because of the budget crisis. He then asked for questions from the Board.

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With no further questions from the Board concerning the budget outlook, Commissioner Troxler called on Assistant Commissioner David McLeod to update the Board on the status of the Euthanasia Rules. The General Assembly has 31 (thirty-one) days to introduce a bill to change or disapprove of the rules. The Board will probably have to revisit the rules again.

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Assistant Commissioner Richard Reich then came forward to update the Board on the status of the Research Stations Strategic Plan. Dr. Reich passed out a sheet containing the structure of the different groups and discussed the upcoming meetings. Joy Hicks and Eddie Pitzer were also available if anyone had any questions. Commissioner is hopeful the strategic plan will finally put the issue at rest.

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After recognizing Larry Sampson, one of the two new members of the Board, and Anne Brown from the Attorney General's office, the floor was open to any other business.

David McLeod invited everyone to attend the Jim Graham Enshrinement Ceremony taking place at 4:30 in the History Museum and Dr. Reich closed the meeting with prayer.

Mr. Torn made the MOTION, which was seconded by Mr. Berry that the meeting be adjourned.

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THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 3:29 P.M.

Recorded & Prepared by:  
Christina L. Lucas

Adopted by the Board this 8<sup>th</sup> day  
of April, 2009.

A handwritten signature in dark ink, reading "Steven W. Troxler", with a long horizontal flourish extending to the right.

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Steven W. Troxler  
Commissioner of Agriculture  
Chairman

A handwritten signature in dark ink, reading "David S. McLeod", with a horizontal flourish.

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David S. McLeod  
Secretary